

Agenda Item: 5
Meeting Date: August 10, 2005

BAY-DELTA PUBLIC ADVISORY COMMITTEE
2005 PROGRAM PLANS

Description: This report provides information on the program planning process. Draft Program Plans were provided to the Bay-Delta Public Advisory Committee as part of the materials for the April meeting. Those Draft Program Plans are being revised based on budget actions taken by the State Legislature in June and the budget pending in Congress. Not all the Plans are ready as final drafts for the August meeting, and it is important that the Plans be considered as a package; therefore, action by the Authority on the Program Plans will be delayed until September. Final drafts of all plans will be posted on the Authority's website as soon as all plans are complete, and distributed well in advance of the September Bay-Delta Public Advisory Committee and Authority meetings.

Recommended Action: This is an information item only.

Summary

The California Bay-Delta Authority Act of 2003 requires the Authority to annually review, potentially modify and approve Program Plans and long-term expenditure plans. The program planning process provides a forum to describe what has been accomplished, strategically plan for future implementation actions, identify problems and propose steps for resolving issues, identify available funding and additional funding needs, and ensure cross-program integration and balance.

This year, Governor Schwarzenegger identified three key activities for the CALFED Program that are to be accomplished by the end of 2005. They are: an independent program and fiscal review; a refocusing of the efforts of the California Bay-Delta Authority and the other CALFED State agencies; and the development of an action plan for long-term financing.

The outcome of these three activities likely will have considerable impact on how the CALFED Bay-Delta Program is implemented and financed in succeeding years. In addition, the State Legislature made a 46 percent cut in State agency budgets related to CALFED for FY 2005-06, the initial year that would be covered by these Program Plans. As a result, the Bay-Delta Public Advisory Committee (BDPAC) and Authority will be asked to recommend and approve only the Year 6 Program Plans, and defer action on plans for future years.

Implementing agencies are reconciling the State budget cuts with their draft Program Plans and working through any outstanding issues. Not all the Plans are ready as final drafts for the August meeting, and it is important that the Plans be considered as a package. Final drafts of all plans will be posted on the CALFED website as soon as all plans are complete, and sent well in advance of the September BDPAC and Authority meetings.

The following report discusses the various Program Elements and summarizes outstanding issues.

Background

Program Plans are prepared by the implementing agencies, which are responsible for working cooperatively together to develop a unified plan. Each year Authority staff oversees and coordinates preparation of the Program Plans by the implementing agencies. Comments on the Draft Program Plans are solicited from BDPAC and its subcommittees, the Authority, and the public. BDPAC subcommittees discuss relevant Program Plans and, if appropriate, help identify outstanding issues within that element.

All Program Plans must contain the following information:

- Discussion of goals, objectives and targets
- Previous year's accomplishments
- Description of program structure
- Description of major activities including schedule and budget (includes Delta Improvement Package activities)
- Description of how science, environmental justice and tribal relations are incorporated in the program
- Discussion of public outreach
- Discussion of cross-program relationships
- Funding tables: Summary and by task
- Map of program activities

Delta Improvements Package

Authority staff has prepared a revised Delta Improvements Package (DIP) Implementation Summary of Schedules (Attachment 1). This summary is based on the schedules provided by the implementing agencies in the Program Plans, and is included in this staff report to update Authority members and the public on this important effort. The DIP Implementation was initially adopted by the Authority in August 2004.

Program Plan Issues

A number of the program elements received less funding from the Legislature than was proposed in the Governor's Budget. Each Program Plan describes the effects of the Year 6 budget reductions. The following is a summary of the budget reductions and other changes that were made to the Draft Program Plans:

Environmental Water Account

State funding of the EWA program was cut 50 percent in Year 6. At this time, EWA implementing agencies are unsure how activities will be prioritized. If Federal funding levels are sufficient, it may be possible to move forward with all activities planned under EWA. However, if not, there will not be enough funding to manage all the activities under EWA.

Conveyance

The Conveyance Program also received a number of State funding cuts in Year 6. There is some question whether the Collection, Handling, Transport, and Release (CHTR) studies will be able to move forward – additional legislative discussion is needed.

Storage

The Storage Program did not receive State funding for In-Delta storage and Shasta coordination in Year 6. Groundwater grants were also cut. Work continues on all other projects and on Common Assumptions activities.

Water Transfers

The Water Transfers Program element was zeroed out by the Legislature. At this time, due to the Legislature's removal of funding and staff for the Water Transfer Program element in FY 05-06, no additional revision or update work could be done on the Program Plan after June 30. This Program Plan represents the last version of activities planned for Water Transfers when the element was funded. However, without funding and staff, no Department of Water Resources' (DWR) activities are planned for this program element.

Watershed

State funding was cut for DWR to support technical assistance related to Proposition 50 grants. If funding is not restored, DWR indicates that a grant program will not be conducted in Year 6.

Water Quality

A large portion of State funding for Franks Tract in Year 6 was cut. In addition, the majority of water quality major activities, including Delta Improvement Package actions, are unfunded. Future funding for water quality is also unclear at this time since it is unknown how much Proposition 50 funding from statewide grants from Chapters 4, 5, 6, and 8 will go to CALFED water quality activities.

Levees

The Levees Program received no cuts from the Legislature in Year 6. Year 6 is the last year of bond funds available for the Levee Program.

Ecosystem Restoration

The Ecosystem Restoration Program (ERP) Plan was initially made available in March 2005 for review and comment. However, when all of the Program Plans were prepared for the April BDPAC and Authority meetings, the ERP implementing agencies determined that additional work and review was needed before making a revised version available for review. The need for this additional work was driven by the ERP implementing agencies' intent to prioritize Year 6 activities to address the issues surrounding the decline of Delta pelagic fishes.

A revised ERP Plan was presented to the BDPAC Ecosystem Restoration Subcommittee at its May and June meetings.

The Authority ERP staff worked closely with the ERP implementing agencies to produce this final version of the ERP Plan, and agree with the need to organize and prioritize the Year 6 activities to respond to the decline in Delta pelagic fishes. However, in our oversight and coordination role, we also believe it is important to acknowledge the shift made in this year's plan in comparison to previous years.

The final ERP Plan includes a list of specific actions to be funded in Year 6. The actions listed with the Department of Fish and Game (DFG) as the funding source will be implemented by DFG during Year 6. The Authority ERP staff expects that DFG and the other ERP implementing agencies will continue to require each specific action to be described in a proposal format, and that each proposal will be independently reviewed. This independent review will be coordinated by the Authority ERP staff, and will provide feedback to the ERP implementing agencies to ensure that ERP actions are designed and implemented consistent with the guidance provided by the ERP Strategic Plan.

The ERP Plan also provides Year 6 funds to consider the projects highly ranked by the Science Program Proposal Solicitation Package (PSP), but still seeking future fund sources.

Water Use Efficiency

Water Use Efficiency Program funding was cut by the State Legislature for Year 6 – including dollars intended to be awarded for grants such as recycling and agricultural and urban conservation.

Science

Due to the potential funding limitations the next few years, the Science Program reduced from \$18 million to \$10 million the amount it awarded in Year 6 for its Proposal Solicitation Program. This reduction assures funding will be available in Years 7 – 9 for directed actions. The Science Program anticipates greater efforts in integrating science among program elements and the Interagency Ecological Program (IEP), including the current evaluation of the recent decline of pelagic organisms in the Delta.

BDPAC Subcommittee Comments

Ecosystem Restoration

The Ecosystem Restoration Subcommittee reviewed the ERP Plan at its June 2005 meeting, and makes the following two recommendations to BDPAC.

1. Future planning for and implementation of the ERP, as well as other CALFED Program elements, would greatly benefit from an expanded strategic planning effort by the CALFED Program to address needs and actions that cut across all CALFED Program elements and objectives.
2. ERP needs to institute a more formal effort, using an independent science process, to coordinate, integrate, and accelerate ERP efforts in conjunction with the Delta Risk Management Strategy, to work to address the decline of Delta pelagic fishes, and the Science Program to develop a better structure and model for managing the Delta to address ecosystem restoration and water management objectives.

Levees

At this time the Levee Subcommittee does not recommend adoption of the Program Plan due to insufficient future funding to make significant progress toward accomplishing the goals and objectives stated in the Record of Decision (ROD).

Water Use Efficiency

The Water Use Efficiency Subcommittee has raised concern regarding the delay in developing agricultural assurances as specified in the ROD. Subcommittee chairs are working with DWR to resolve the issue.

Working Landscapes, Water Supply, Water Quality, Watershed and Environmental Justice

These Subcommittees have reviewed relevant plans but are not making recommendations.

Conclusion

Consistent with the direction from the Authority, staff has been working with the implementing agencies to develop the Plans and respond to issues raised by BDPAC and the Authority. Long-term funding remains a critical issue for all of the programs and is being addressed through the development of the action plan and refocusing effort.

List of Attachments

Attachment 1 – Delta Improvements Package Schedule

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DELTA IMPROVEMENTS PACKAGE IMPLEMENTATION PLAN

Summary of Schedules

Updated July 22 29, 2005

Water Supply Actions	Program Plan	ROD Target Date	Expected Date	Comments
SWP/CVP Integration Plan ➤ Complete SWP/CVP Operations Criteria and Plan and BO and early consultation on intermediate immediate actions ➤ Complete Response Plans <u>required by D-1641</u> for Joint Point of Diversion ➤ Complete NEPA/CEQA <u>ESA</u> and public review of interim <u>intermediate</u> SWP/CVP operations actions ➤ Initiate formal consultation and request preliminary BO on interim actions ➤ Implement intermediate SWP/CVP <u>operation actions</u>	Conveyance		Completed Fall 2004 Completed Aug 2004 <u>During SDIP Stage 2</u> Spring 2005 <u>Prior to implementing SDIP Operational Component During 2005</u>	
Delta Mendota Canal / California Aqueduct Intertie ➤ Complete env. studies ➤ Obtain construction funding, initiate construction ➤ Complete construction, begin operations	Conveyance	July 2004 Dec 2004	Apr 2005 Oct 2005 2006	Delay due to the delays in obtaining study funding.
<u>Expanded Delta Mendota Canal / California Aqueduct Intertie</u> ➤ <u>Obtain Federal study authorization for 900 cfs intertie capacity</u>			2006	<u>Federal authorization received in CALFED Bay-Delta Act</u>
San Luis Reservoir <u>Low</u> Point Improvement Project ➤ Complete Appraisal Study ➤ Complete Feasibility / EIS/EIR ➤ Obtain authorization for construction	Storage	Dec 2004	Aug 2005 Jun 2007 Depends on Federal Process	

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ATTACHMENT 1

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<p>8500 cfs / Permanent Operable Gates (DIP)</p> <ul style="list-style-type: none"> ➤ Complete <u>South Delta Improvements (SDIP) EIR/EIS</u> ➤ Secure permits to construct permanent operable gates, dredge, modify local agriculture diversions ➤ Obtain funding and authority for <u>gate at</u> Head of Old River Gate ➤ Obtain funding and authority for <u>gates</u> in Middle River, Old River and Grantline Canal Gates ➤ Complete <u>dredging/diversion improvement</u> ➤ Transition implementation of 8500 cfs, complete dredging/diversion improvements ➤ Secure permit for increasing SWP export limit to <u>8500 cfs</u> ➤ Complete <u>construction of permanent operable gates barrier construction</u> ➤ Fully operate under 8500 cfs 	<p>Conveyance</p>	<p>Dec 2002</p> <p>Jul 2003</p> <p>Dec 2006</p> <p>Dec 2007</p>	<p>Apr 2006</p> <p>May 2006</p> <p>May 2006</p> <p>May 2006</p> <p><u>2007-2008</u></p> <p><u>2007-2008</u></p> <p><u>Jun 2009</u></p> <p>Apr 2009</p> <p>Jun 2009</p>	<p>Delays due to the complexity of the project, development of export operation alternatives, implementation of a 2-stage decision-making process (Stage 1: Decision on Physical Component; Stage 2: Decision on Operational Component), to incorporate information on the recent pelagic fish decline in the Delta. incorporation of elements contained in the OCAP Biological Opinion, and consideration of information concerning the recent pelagic fish decline in the Delta.</p>
<p>Water Quality Actions</p>		<p>ROD Target Date</p>	<p>Expected Date</p>	<p>Comments</p>
<p>South Delta Improvements Project/Permanent Operable Barriers-Gates</p>	<p>Conveyance</p>			<p>See 8500cfs / Permanent Operable <u>Gates</u> Schedule under Water Supply Actions</p>
<p>San Joaquin River Salinity Management Plan</p> <ul style="list-style-type: none"> ➤ Coordinated Drainage Strategy ➤ Salt Load Management and Reduction ➤ Recirculation ➤ Voluntary Water Exchanges and Transfers ➤ Real Time Monitoring ➤ Coordination of East Side Tributary Operations ➤ Introduction of Potential High Quality Wastewater Treatment Plant Flows ➤ Westside Groundwater Management 	<p>Water Quality</p>	<p>Begin Implementation of source control measures by 2003</p>		<p>Alternative TMDL approach must show progress by 2007 (under TMDL) Depending on funding, SJRIP currently 20% Implemented</p> <p>18 months to 2 Years for Federal Feasibility study Depends on funding</p> <p>WQP has funded in past. Currently no direct funding. Applicant did not apply for Prop 50. Little or no benefit according to studies</p> <p>Low priority</p> <p>Dependent on funding</p>
<p>Vernalis Flow Objectives</p>	<p>Water Quality</p>	<p>Sept 2002</p>	<p>Dec 2005</p>	<p>Plan to meet standards by Dec 2005</p>

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<p>San Joaquin River Dissolved Oxygen</p> <ul style="list-style-type: none"> ➤ RWQCB Phased TMDL and Basin Plan Amendment ➤ Complete monitoring and modeling studies ➤ Design, construct and operate a demonstration aeration system ➤ Evaluate other control projects and mitigation strategies ➤ Complete Final TMDL/Basin Plan Amendment for long-term control 	<p>Ecosystem Restoration</p>		<p>Jan 2005</p> <p>Jun 2007</p> <p>Fall 2005-2008</p> <p>Apr 2004- Dec 2008</p> <p>2009</p>	
<p>Old River and Rock Slough Water Quality Improvement Projects</p> <ul style="list-style-type: none"> ➤ Complete construction of Veale and Byron tracts drainage improvements ➤ Complete construction of first phase Canal lining project 	<p>Water Quality</p>	<p>Before permanent operable gates</p>	<p>Dec 2005</p> <p>Dec 2006</p>	<p>Construction of permanent operable gates completed – 4/08</p>
<p>Franks Tract</p> <ul style="list-style-type: none"> ➤ Develop program plan ➤ Complete feasibility and EIR/EIS Study (pilot project) ➤ Implement pilot project <u>construction and monitoring</u> 	<p>Water Quality</p>		<p>Dec 2005</p> <p>Sept 2007</p> <p>2008</p>	<p>Program plan dependent on funding from State, Federal and potential project beneficiaries.</p>
<p>Delta Cross Channel Program</p> <ul style="list-style-type: none"> ➤ Complete studies; make recommendations ➤ Implement reoperation recommendations 	<p>Conveyance</p>	<p>Dec 2003</p>	<p>Jul 2008</p> <p>Oct 2008</p>	<p>Delays due to the numerous contracts needed and the contracted studies requiring more time to execute and conduct.</p>
<p>Through Delta Facility</p> <ul style="list-style-type: none"> ➤ Complete water quality & fish studies, and prefeasibility study; make recommendations ➤ If supported, seek funding and initiate <u>feasibility and EIR/EIS</u> ➤ Obtain funding and authority to construct 	<p>Conveyance</p>	<p>Dec 2003</p> <p>Dec 2007</p>	<p>Nov 2008</p> <p>Feb 2009</p> <p>Mar 2011</p>	<p>Delays due to the numerous contracts needed and the contracted studies requiring more time to execute and conduct.</p>
<p>Relocation of M& I Intake</p> <ul style="list-style-type: none"> ➤ Complete evaluation of water quality improvements 	<p>Water Quality</p>		<p>Date to be determined</p>	<p>CCWD is proceeding with scoping and environmental documentation</p>

Environmental Protection Actions		ROD Target Date	Expected Date	Comments
OCAP ESA Consultation ➤ OCAP Biological Opinions Issued	Conveyance		Completed Fall 2004	
SDIP ESA Consultation ➤ SDIP Biological Opinion issued	Conveyance		Aug 2005	
Update of CALFED ROD Programmatic Regulatory Commitments and Programmatic Biological Opinions ➤ Complete assessment of efficacy of the EWA and progress toward achieving the milestones ➤ Update Programmatic Regulatory Commitments ➤ Update Programmatic Biological Opinions	Ecosystem Restoration		Completed Aug 2004) Completed Sep 2004 Completed Sep 2004	
Environmental Water Account ➤ Decision on continuing short-term EWA ➤ Draft EIS/EIR on long-term EWA ➤ Final EIS/EIR on long-term EWA	Environmental Water Account		Completed Sep 2004 Summer- 2005 <u>2006</u> Summer 2006 <u>2007</u>	DWR, USBR, USFWS, NOAA Fisheries and CDFG completed Long-Term EWA EIS/EIR public scoping meetings in March 2005
Delta Regional Ecosystem Restoration Implementation Plan ➤ Complete development and peer review of species life history and ecosystem element conceptual models ➤ Evaluate Delta ERP Actions and approve priority setting process ➤ Complete final DRERIP	Ecosystem Restoration		Dec- 2005 Jun 2006 May- 2006 Dec 2006 Dec- 2006 May 2007	<u>Changes in the expected dates are in part due to delays in finalizing contracts for the scientists participating in the Adaptive Management Planning Team and Action Team, both charged with assisting DFG, NMFS, USFWS, and CBDA with preparing the scientific basis of the DRERIP. Versions of the DRERIP reflecting progress to date will be posted periodically so that it can begin to be used to guide and track Delta ecosystem restoration actions sooner than the dates displayed.</u>

Delta Levees Actions		ROD Target Date	Expected Date	Comments
Delta Levees > Implement the Levee System integrity Multi-Year Program Plan	Levee System Integrity		Years 5-8	<u>Funding has only addressed maintenance and has not been adequate to address enhanced levee stabilization. A Delta Risk Management Strategy is now underway.</u>
Science Actions		ROD Target Date	Expected Date	Comments
Independent Science Board	Science		Ongoing	
Environmental Water Account Independent Reviews > EWA Science Panel review	Science		Completed Nov 2004	
Study on South Delta Hydrodynamics, Water Quality and Fish > Conduct pilot investigations > Conduct scientific study > Complete report	Conveyance		Dec 2005 Jan 2006– Dec 2007 No later than 08	This study is being managed under the <u>Conveyance's Clifton Court Fish Screens/10,300 cfs project. USBR is the principal investigator.</u>
Science PSP > Proposal Solicitation Package to public	Science		Completed Oct 2004	
Study on Delta Smelt and Fish Facilities > Evaluate existing CHTR process > Make recommendations	Conveyance		Apr 2004 – Jun 2007 Jul 2008	This study is being managed <u>under the Conveyance's DFG and DWR under the Tracy Fish Test Facility Project.</u> The principal investigator is DFG with assistance of DWR and USBR. <u>Lack of funding may impact progress on part of the study effort.</u> CHTR refers to the collection, handling, transportation and release of fish which occurs at the SWP and CVP fish salvaging process in the south Delta.
South Delta Fish Facility Improvements > Maintain and improve existing fish facilities > Conduct alternative facilities configurations and op studies > Make recommendations on new fish facility alternatives	Conveyance		Ongoing Jul 2005 6 – Jun 2006 7 Jul 2006 7	This study is being managed by DWR under the Clifton Court Fish Screens/10,300 cfs project. <u>7/05 –Due to funds not being available in year 6, schedule has been delayed at least one year</u>
Performance Evaluation and Monitoring Program > Final Conceptual Plan > Final Implementation Plan for Comprehensive Monitoring	Water Quality		Jan 2006 Jul 2006	

[LINK TO FINAL DRAFT OF
THE PROGRAM PLANS](#)